

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#1A8

In re Application of:

WALLACH et al

Appln. No. 08/485,129

Filed: June 7, 1995

For: ISOLATED DNA ENCODING  
TUMOR NECROSIS FACTOR  
BINDING PROTEIN II, ...



BOX AF

Art Unit: 1644

Examiner: R. Schwadron

Washington, D.C.

August 25, 1999

Atty's Docket: WALLACH-5B

GP1644

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#25  
M.Q.J  
8/30/99

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated February 26, 1999, of the Primary Examiner. The claims appealed are claims claims 11-13, 35-38, 43, 44 and 46-49.

08/30/1999 HHORTON 00000006 024035 THE item(s) checked below are appropriate:

Q1 FC:119  Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.  
 A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

XXX The fee has been calculated as shown below:

\$300.00  
 \$150.00 (small entity)

XXX Not required (fee paid in prior appeal)

Adjustment date: 05/01/2000 BULSON  
08/30/1999 HHORTON 00000006 024035 Petitions for an extension of time in accordance with 37 CFR 01 FC:119 1.106(a)(2). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within  
[ ] First - \$ 55.00  
[ ] Second - \$190.00  
[ ] Third - \$435.00  
[ ] Fourth - \$680.00

month after time period set.

Other than Small Entity

Response Filed Within  
[ ] First - \$ 110.00  
[ ] Second - \$ 380.00  
[XX] Third - \$ 870.00  
[ ] Fourth - \$1360.00

month after time period set.

[ ] Less fees (\$\_\_\_\_\_) already paid for \_\_\_\_ months extension of time on \_\_\_\_\_.  
XXX A check in the amount of \$870.00 is attached. (Check No. 23299)

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

08/26/1999 AIBRAHIM 00000046 08485129

01 FC:117

870.00 OP

Respectfully submitted,  
BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By

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